

### REMARKS

The present application was filed on June 24, 2003 with claims 1-23. Claims 1 through 23 are presently pending in the above-identified patent application. Claims 1, 12, 18 and 19 are proposed to be amended herein. Claims 24 and 25 are proposed to be added. Thus, following entry of the present amendment, claims 1 through 25 will be pending in the above-identified patent application.

In the Office Action, the Examiner rejected claims 1-10 and 12-17 under 35 U.S.C. §103(a) as being unpatentable over Gandhi et al. (United States Patent Application Publication Number 2004/0015351 A1), in view of Farrell et al. (United States Patent Number 6,721,416). Applicants believe that the Examiner intended to include claim 18 in this grouping as well. In addition, claims 19-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Farrell et al. in view of Bowater et al. (United States Patent Number 6,278,772 B1).

#### Independent Claims

Independent claims 1, 12 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gandhi et al. in view of Farrell et al. The Examiner asserts that Gandhi discloses a method for validating a textual entry of spoken words of a caller that monitors the textual entry of the spoken words, converting the spoken words to text using a speech recognition technique, and comparing the textual entry to the said converted text to confirm an accuracy of the textual entry (citing FIG. 5 and Pars. 40 and 43). The Examiner acknowledges that Gandhi does not disclose the step of receiving a telephone call from said caller, but cites Farrell for this purpose.

Gandhi is directed to techniques for determining speech recognition accuracy. In particular, however, Gandhi provides an *off-line* technique for verifying an automatic speech recognizer (ASR). For example, in paragraph 26 of Gandhi, the last sentence describes a "transaction log" that is created when the original speech recognition is done. Paragraph 27 further specifies that this transaction log is *saved* to a data store. The audio is described as being *stored* in a data store in subsequent paragraphs. Paragraph 30 then specifies that a second recognition engine uses the *previously saved* configuration data and paragraph 31 describes using the *previously saved* audio data to re-execute the speech recognition. Gandhi clearly is not capable of modifying the

outcome of the first speech recognition transaction. Generally, Gandhi provides a tool for improving accuracy *ex post facto*.

Independent claims 1, 12 and 18, as amended, require that the textual entry is compared to the converted text to confirm an accuracy of the textual entry substantially during the telephone call. Thus, the present invention provides a real-time or continuous technique, as opposed to the off-line technique of Gandhi et al. Support for this amendment may be found, for example, in the application as originally filed in FIGS. 4 (Step 440 - can text entered in completed field be found in recent audio stream, 6 (showing parallel paths 610 and 630) and 7 (showing parallel paths 740 and 750), and the corresponding text.

The present invention verifies the accuracy of the human agent, not the speech recognition engine. Generally, the present invention uses speech recognition as a tool to judge the accuracy of a human generated input. Thus, Gandhi does not disclose or suggest comparing the textual entry to the converted text *during the call*, as required by independent claims 1, 12 and 18, as amended.

Independent claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over Farrell et al. in view of Bowater et al. The Examiner asserts that Farrell discloses a method for validating a spoken delivery of a textual script that monitors a spoken delivery of the textual script; converts the spoken delivery to text using a speech recognition technique; and comparing the textual script to the converted text (citing FIGS. 1 and 4, col. 5, lines 22-47). Farrell discloses a system for providing automated assistance to a call center agent. In fact, the Examiner acknowledges that Farrell does not disclose comparing the text to confirm an accuracy of the spoken delivery, but cites Bowater for this purpose.

Bowater is directed to techniques for voice recognition of telephone conversations. As indicated by the Examiner, Bowater discloses a system where the text and voice data are saved on a CD ROM to *later* check the accuracy of the voice recognition, and thereby confirm the accuracy of the spoken delivery. Thus, Bowater does not disclose or suggest comparing the textual entry to the converted text *during the spoken delivery*, as required by independent claim 19, as amended.

Dependent Claims

Dependent claims 2-11, 13-17 and 20-23 were rejected over various combinations of Gandhi et al., Farrell et al. and Bowater et al. Claims 2-11, 13-17 and 20-23 are dependent on claims 1, 12 and 19, respectively, and are therefore patentably distinguished over Gandhi et al., Farrell et al. and Bowater et al. (alone or in any combination) because of their dependency from amended independent claims 1, 12 and 19 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

New claims 24 and 25 were added to provide applicants the attention to which they are entitled. Support for these claims is found, for example, in FIG. 7, step 710.

All of the pending claims, i.e., claims 1 through 25, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



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